

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA ) Criminal No. 07-355  
 )  
 v. ) (18 U.S.C. §§ 922(g)(1),  
 ) 922(k) and 924(c)(1)(A)(i);  
 ROBERT HARRIS ) 21 U.S.C. §§ 841(a)(1) and  
 ) 841(b)(1)(D)  
 )  
 ) (UNDER SEAL)

INDICTMENT

COUNT ONE

The grand jury charges:

On or about February 9, 2007, in the Western District of Pennsylvania, the defendant, ROBERT HARRIS, did knowingly, intentionally and unlawfully possess with intent to distribute and distribute less than 50 kilograms of marihuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT TWO

The grand jury further charges:

On or about July 16, 2007, in the Western District of Pennsylvania, the defendant, ROBERT HARRIS, after having been convicted on or about September 23, 1998, at Docket Number CP-02-CR-0000294-1998 in the Court of Common Pleas, County of Allegheny, Criminal Division, Commonwealth of Pennsylvania, of the crime of possession of a controlled substance with intent to deliver, which is a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm, specifically, a Romarm Cugir, Model SAR1, 7.62 x 39 caliber rifle, bearing serial number S1-27726-2000.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT THREE

The grand jury further charges:

On or about August 13, 2007, in the Western District of Pennsylvania, the defendant, ROBERT HARRIS, did knowingly, intentionally and unlawfully possess with intent to distribute less than 50 kilograms of marihuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

COUNT FOUR

The grand jury further charges:

On or about August 13, 2007, in the Western District of Pennsylvania, the defendant, ROBERT HARRIS, did knowingly and unlawfully possess firearms, that is, an Intratec, Model TEC-DC9, 9-millimeter pistol with no apparent serial number, and a Glock, Model 19, 9-millimeter pistol bearing serial number AXX900US, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is possession of less than 50 kilograms of marihuana with intent to distribute, contrary to the provisions of Title 21, United States Code, Sections 841(a) (1) and 841(b) (1) (D), as charged in Count Three of this Indictment.

In violation of Title 18, United States Code, Section 924(c) (1) (A) (i).

COUNT FIVE

The grand jury further charges:

On or about August 13, 2007, in the Western District of Pennsylvania, the defendant, ROBERT HARRIS, after having been convicted on or about September 23, 1998, at Docket Number CP-02-CR-0000294-1998 in the Court of Common Pleas, County of Allegheny, Criminal Division, Commonwealth of Pennsylvania, of the crime of possession of a controlled substance with intent to deliver, which is a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce firearms, specifically, an Intratec, Model TEC-DC9, 9-millimeter pistol with no apparent serial number, and a Glock, Model 19, 9-millimeter pistol bearing serial number AXX900US.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT SIX

The grand jury further charges:

On or about August 13, 2007, in the Western District of Pennsylvania, the defendant, ROBERT HARRIS, did knowingly possess a firearm, namely an Intratec, Model TEC DC9, 9-millimeter pistol, which had the serial number obliterated, and which had been shipped and transported in interstate or foreign commerce.

In violation of Title 18, United States Code, Section 922(k) .

FORFEITURE ALLEGATION

1. The Grand Jury re-alleges and incorporates by reference the allegations contained in Counts Two and Five of this Indictment for the purpose of alleging criminal forfeiture pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

2. As a result of the knowing commission of the violation of Title 18, United States Code, Section 922(g)(1), charged in Counts Two and Five of the Indictment, the firearms alleged in those Counts, that is:

a. a Romarm Cugir, Model SAR1, 7.62 x 39 caliber rifle, bearing serial number S1-27726-2000;

b. an Intratec, Model TEC-DC9, 9-millimeter pistol, with no apparent serial number; and

c. a Glock, Model 19, 9-millimeter pistol bearing serial number AXX900US, which were involved and used in the knowing commission of that offense, are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1).

3. If, through any act or omission by the defendant, ROBERT HARRIS, the property described in paragraph 2 above (hereinafter the "Subject Property):

a. Cannot be located upon the exercise of due diligence;

b. Has been transferred, sold to, or deposited with a third person;

c. Has been placed beyond the jurisdiction of the Court;


d. Has been substantially diminished in value; or

e. Has been commingled with other property which cannot be subdivided without difficulty,

the United States intends to seek forfeiture of any other property of the defendant, ROBERT HARRIS, up to the value of the Subject Property forfeitable above pursuant to Title 18, United States Code, Sections 924(d)(1), Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c).

A true bill

\_\_\_\_\_  
Foreperson

  
MARY BETH BUCHANAN  
United States Attorney  
PA ID No. 50254